

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/621,295	HE, DUANFENG	
	Examiner Kimberly D. Nguyen	Art Unit 2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to communication filed December 20, 2004.

2.  The allowed claim(s) is/are 1-17 and 19.

3.  The drawings filed on 17 July 2003 are accepted by the Examiner.

4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All    b)  Some\*    c)  None    of the:

1.  Certified copies of the priority documents have been received.

2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.

(a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached

1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.

(b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

**Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**

7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

- 1.  Notice of References Cited (PTO-892)
- 2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
- 4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
- 5.  Notice of Informal Patent Application (PTO-152)
- 6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
- 7.  Examiner's Amendment/Comment
- 8.  Examiner's Statement of Reasons for Allowance
- 9.  Other \_\_\_\_\_.

**DETAILED ACTION**

*Amendment*

1. Acknowledgement is made of Amendment filed December 20, 2004.

**EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. George Likourezos on January 19, 2005.

**IN THE CLAIMS:**

Re claim 14: Incorporate claim 18 into claim 14 as below:

14. A method for verifying an optical code read comprising the steps of:
  - receiving optical code image data and object image data associated with the optical code read and an object associated with the optical code, respectively;
  - generating one set of at least one digital code in accordance with the optical code image data using one decoding method;
  - querying a database for accessing at least one stored object image data entry associated with at least one stored digital code that substantially matches the one set of at least one generated digital code; and
  - comparing the received object image data with the at least one accessed object image data entry; and

wherein the at least one accessed object image data entry includes data indicative of at least one characteristic of the object assigned the matching stored digital code; further including the step of extracting from the received object image data, data indicative of at least one characteristic of the object imaged by the imaging engine; and the comparing step includes comparing the data indicative of the at least one characteristic of the respective at least one accessed object image data entry and the received object image data.

Re claim 18: (cancelled without traverse)

Re claims 20-26: (cancelled without traverse)

***Allowable Subject Matter***

3. Claims 1-17 and 19 are allowed.
4. The following is an examiner's statement of reasons for allowance:

The prior art of record fails to teach a system for reading an optical code and verifying the read optical code including an imaging engine having an array of image sensors for sensing an image of an object and an optical code associated with the object and generating respective object image data and optical code image data; a database storing a plurality of digital codes and an object image data entry associated with respective digital codes of the plurality of digital codes, wherein the object image data entry associated with a digital code of the plurality of digital codes represents at least one image of an object that is assigned the digital code; and a processing unit for receiving the object image data and the optical code image data from the imaging engine, said processing unit including a code generation software module using one decoding method for generating one set of at least one digital code that corresponds to the optical

code image data; a database query module for accessing at least one object image data entry stored in the database associated with at least one respective stored digital code that substantially matches the respective one set of at least one generated digital code; and a comparator module for comparing the generated object image data with the at least one accessed object image data entry..

Hertz teaches a system for reading an optical code and verifying the read optical code comprising an imaging engine having an array of image sensors for sensing an image of an object and an optical code associated with the object and generating respective object image data and optical code image data; a database storing a plurality of digital codes and an object image data entry associated with each respective digital codes of the plurality of digital codes, wherein the object image data entry associated with a digital code of the plurality of digital codes represents at least one image of an object that is assigned the digital code. However, Hertz fails to specifically teach the processing unit including a code generation software module using one decoding method for generating one set of at least one digital code that corresponds to the optical code image data; a database query module for accessing at least one object image data entry stored in the database associated with at least one respective stored digital code that substantially matches the respective one set of at least one generated digital code; and a comparator module for comparing the generated object image data with the at least one accessed object image data entry.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly D. Nguyen whose telephone number is 571-272-2402. The examiner can normally be reached on Monday-Friday 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



KDN

January 19, 2005



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